

proval or acceptance by popular vote; this is the power conferred upon that class of public officers constituting the membership of the Senate and House.

Ex Parte Farnsworth, 135 S. W., 535.

The voting general public can only legislate, in a broad way, by the adoption of a constitution or an amendment thereto. And as the general public can not enact a statute, so the Legislature can not adopt a constitution or amendment thereto. The classification inheres in our form of government described in Section 2 of the Bill of Rights, wherein it is declared that "the faith of the people of Texas stands pledged to the preservation of a republican form of government"; the classification is carried into effect by Section 1 of Article 3, which provides that "the legislative power of this State shall be vested in a Senate and House of Representatives," and by Section 2 of the Bill of Rights, guaranteeing to the general public the right "to alter, reform or abolish their government," and Article 17, providing for the amendment of the Constitution.

The only law called to our attention which prohibits anybody from exercising the right to inspect, or secure copies of, records in the Secretary of State's office is Chapter 153, Acts of 1913, page 327, et seq. This Act requires all franchise tax paying corporations to report certain information, in writing, to the Secretary of State. These reports, when filed, of course, become official records of the department. Section 3 of the Act reads as follows:

"The reports required by this Act shall be deemed to be privileged and not for the inspection of the general public, but any party or parties who are interested in the subject matter of any report, may, upon valid request in writing made to the Secretary of State, secure a copy of same."

As stated before, we think a member of the Legislature is "interested" in the subject matter of these reports, and for that reason he would have the right to procure copies thereof—whether, as a member, he is to be regarded as a member of the "general public" or whether he is to be regarded as one of the class called "State officers."

But Section 5 of the Act provides

that only conflicting laws are repealed by it. There is no conflict between this Act and Article 3833 and Article 3835 when read together, so far as State officers are concerned. The Act does provide for a "request in writing," which is not required under the other articles; but under Section 5 of the Act this provision is simply "amendatory" of the other articles, in so far as State officers are concerned, if Section 3 applies to cases of State officers at all. Reading Articles 3833, 3835 and Section 3 of the Act together, we think that a Senator, or Representative, as a State officer, has the right to demand copies of these reports and has the right to have the same furnished by the Secretary of State free of charge.

Section 3 of the Act, by implication, at least, also authorizes a Senator or Representative, as a State officer, to inspect the reports. It will be noted that the language of the Section is that the reports shall not be open to "inspection of the general public"; Senators and Representatives, as such, and in the performance of their duties, not being members of the general public, the restriction does not apply to them. Consideration being given to the nature of public officers of these classes and the functions and powers to be exercised by members of the Legislature, we think they have the right to inspect the reports.

Yours truly,

LUTHER NICKELS,  
Assistant Attorney General.

This opinion has been passed upon and approved by the department in executive session, and is now ordered recorded.

B. F. LOONEY,  
Attorney General.

The above was printed here by order of the Senate.

#### TWENTY-NINTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, February 19, 1915.

The Senate met at 10 o'clock, a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum

being present, the following Senators answered to their names:

Astin.	King.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.

Absent.

Parr.

Absent—Excused.

Henderson. Hudspeth.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with, on motion of Senator Johnson.

See Appendix for Committee Reports and Petitions and Memorials.

#### Simple Resolution No. 90.

By Senator Bee:

Be it resolved, That, whereas, Hon. Geo. D. Neal of Navasota, formerly a private and Lieutenant Governor of Texas, is in the Senate gallery; therefore, be it

Resolved, That in recognition of his distinguished career and special worth, he be invited to the privileges of the Senate, and to address same.

BEE,  
NUGENT,  
ASTIN.

The resolution was read and unanimously adopted.

Senators Bee, Nugent and Bailey of Harris escorted former Lieutenant Governor Neal to the President's stand, who, after being introduced, addressed the Senate.

#### Invitation Extended to the Senate.

Laredo, Texas, Feb. 12, 1915.

Hon. Asher R. Smith, House of Representatives, Austin, Texas.

Dear Sir: In behalf of the executive committee of the Eighteenth

Annual Washington's Birthday Celebration at Laredo, I take pleasure in extending to you and through you to the House of Representatives and the Senate of the State of Texas, our most cordial invitation to attend and participate in the observance of this patriotic event.

The celebration will be conducted upon a more elaborate scale this year than ever before, and we would be grateful and honored by the presence of as many of the Representatives and Senators of our State as may be able to attend.

If you will therefore tender this invitation to the House and Senate, the executive committee will be greatly indebted to you for the courtesy.

Very respectfully,

JOS. NETZER,

Chairman Executive Committee.

On motion of Senator Lattimore, the above invitation was accepted.

#### Bills and Resolutions.

By Senator Astin:

S. B. No. 334, A bill to be entitled "An Act to amend Title 29, Chapter 2, of the Revised Civil Statutes of the State of Texas, of 1911, by adding Article 1560a, providing that the county treasurer of counties of less than forty thousand inhabitants, according to the last United States census, shall, in addition to his other duties, have charge of and perform all of the duties of county auditor, as provided by law."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Astin:

S. B. No. 335, A bill to be entitled "An Act to amend Title 58, Chapter 3, of the Revised Civil Statutes of the State of Texas of 1911, by amending Article 3875, allowing to county treasurers a maximum allowance of not more than two thousand dollars annually, except in counties of less than forty thousand inhabitants, according to the last United States census, where the maximum allowance may be fixed by the commissioners court in any amount not to exceed two thousand dollars annually."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Astin:

S. B. No. 336, A bill to be entitled "An Act amending Title 126, Chapter 13, of the Revised Civil Statutes of the State of Texas of 1911, relating to handling of moneys by all tax collectors and other officers or appointees authorized to receive public moneys, by adding Article 7659a."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Harley, by request:

S. B. No. 337, A bill to be entitled "An Act to render more effective the present road laws of the State in its application and operation in Hays County, Texas, and making county commissioners of said county ex officio road commissioners; providing for their compensation; providing for exemption from road duty on payment of \$3.00 into county treasury; providing for working of county convicts on public roads of said county; providing eminent domain in opening, straightening, draining, grading, gravelling, macadamizing or building and constructing public roads and securing deposits of material for road construction or maintenance; requiring road commissioners to make quarterly reports, and providing penalty for failure to do so; prescribing traffic and drainage regulations, and prescribing penalty for violation thereof; repealing all special road laws heretofore enacted for the benefit of Hays County, and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Townsend, by request:

S. B. No. 338, A bill to be entitled "An Act granting permission to R. B. Barrett and Margaret Barrett to bring suit in the district court of Angelina County, Texas, for the purpose of ascertaining, adjudicating, fixing and establishing claims for damages against said State of Texas, arising out of the injuries resulting in the death of Tom Reed, the son of Margaret Barrett, nee Reed, which occurred on or about September, 1912, as in said bill set forth, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Senator Morrow, by request:

S. B. No. 339, A bill to be entitled

"An Act to empower the Supreme Court, and declaring its duty, to make, establish and enforce rules of process, pleading, practice, procedure and appeal for all the courts of this State, and to repeal all laws and parts of laws in conflict herewith."

Read first time, and referred to Judiciary Committee No. 1

By Senator Darwin:

S. B. No. 340, A bill to be entitled "An Act to amend Article 981, Chapter 6, Title 13, of the Revised Criminal Statutes of 1911, providing for the presentation of a written statement by the shipper in lieu of the affidavit required by said Article 891, when there is no person authorized by law to administer oaths accessible at the point of shipment, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

By Senator Clark:

S. J. R. No. 20. Be it resolved, That the Senate and House appropriate the amount of twelve hundred (\$1,200.00) dollars, or so much thereof as may be necessary, out of the Senate and House contingent expense fund, to employ an expert engineer and an expert architect to make a detailed report to the joint committee, as to the exact amount of the cost of repairing the Capitol, and that the joint committee of the Senate and House be continued, and empowered to employ such expert engineer and architect, and to draw checks on the contingent expense funds of the Senate and House to pay said experts, said expense to be borne equally by the respective contingent expense funds of the Senate and the House."

Read first time, and referred to Committee on Contingent Expenses.

By Senator Gibson:

S. J. R. No. 21, A joint resolution proposing and submitting to the voters at the general election in November, 1916, an amendment to Section 14 of Article 7 of the Constitution of Texas, eliminating from that Section the prohibition against the levy of a tax or the appropriation of money from the general revenue for the erection of buildings at the University of Texas.

Read first time, and referred to Committee on Educational Affairs.  
Morning call concluded.

#### Senate Bill No. 237.

(Special order.)

The Chair laid before the Senate, on second reading,

S. B. No. 237, A bill to be entitled "An Act requiring railroads to allow at least four days' rest in each calendar month to certain employees, and providing penalties for the violation of the Act."

The committee report, with (committee) amendment, was read and adopted.

Senator Westbrook offered the following amendment, which was read and adopted:

(1) Amend the bill on page 1, line 15, by inserting between the words "agents" and "who," in said line, the following: "and tower men."

Senator Townsend offered the following amendment, which was read and adopted:

(2) Amend the caption of the bill, page 1, lines 7 and 8, by striking out the words "at least four days' rest in each calendar month," and add the following in lieu thereof: "each Sunday during each calendar month."

Senator Hall offered the following amendment:

Amend the bill, page 1, Section 1, line 18, by inserting after the word "have," the following: "when request for same is made by such employee."

Senator Townsend moved to table the amendment, and pending delay, Senator Townsend asked unanimous consent to withdraw the motion to table. There was objection.

Senator Townsend moved that he be permitted to withdraw the motion to table. The motion was adopted, and the motion was withdrawn.

#### Resignation of Stenographer.

Austin, February 19, 1915.

Hon. W. P. Hobby, President of the Senate, Austin, Texas.

Dear Sir: I hereby tender my resignation as stenographer in the Senate, to take effect this date.

Very respectfully,

W. H. GRANBERY.

#### Recess.

On motion of Senator Clark, the Senate, at 12 o'clock, noon, recessed until 2 o'clock today.

#### After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Hobby.

#### Senate Bill No. 237.

(Pending business.)

Action recurred on the pending business, S. B. No. 237, the question being on the pending amendment by Senator Hall.

#### Message From the House.

Hall of the House of Representatives, Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House refuses to concur in Senate amendments to H. B. No. 208, but adopted an amendment to Senate amendment, and returns the bill as amended for your consideration.

Also, the House has passed the following bills:

House Bill No. 79, A bill to be entitled "An Act to confer upon the county court of Dickens County original concurrent jurisdiction with justice courts of said county in civil cases, and to repeal all laws in conflict with this Act, and declaring an emergency."

House Bill No. 304, A bill to be entitled "An Act to increase the civil jurisdiction of the county courts of Hemphill and Collingsworth Counties, and declaring an emergency," with engrossed rider.

House Bill No. 318, A bill to be entitled "An Act to create a more efficient road system for Hidalgo County, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as powers and duties of such county road commissioners, and defining the commissioners, and providing for the

appointment of road overseers, and defining their duties, and for the working of county convicts on the public roads of said county, and providing for officers' fees, and rewards and penalties for said convicts and rewards for the capture of escaped convicts, and to repeal all laws in conflict herewith, and declaring an emergency."

House Bill No. 321, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of Texas, so as to place the counties of Cameron, Hidalgo and Starr under the provisions of the hide and animal inspection law (Article 7256-7304, inclusive, Revised Civil Statutes of Texas), and declaring an emergency."

House Bill No. 393, A bill to be entitled "An Act to amend Section 19, of the special road law for Brazoria County, passed by the Thirty-third Legislature of the State, at its Regular Session, to provide for maturity of all road bonds to be issued by Brazoria County, or any political subdivision or defined district thereof; providing that such bonds shall, in all other respects, conform to the requirements of Chapter 2, Title 18 of the Revised Statutes of Texas, and validating elections held in Brazoria County for the issuance of such bonds."

House Bill No. 428, A bill to be entitled "An Act to incorporate Comanche Independent School District in Comanche County, for free school purposes only; defining its boundaries; divesting the city of Comanche of the control of its public free schools and of its school property, and vesting the same in said independent school district and its board of trustees; providing that all funds belonging or owing to said city school inure to the benefit of said independent school district, and that all contracts made by the board of trustees of said city schools shall be carried out by the board of trustees of said independent school district, but that said district shall never be liable for any indebtedness of said city; providing for a board of trustees for said district and describing the rights, powers and duties of said Comanche Independent School District; providing for changes in the lines of said district, and declaring an emergency."

House Bill No. 308, A bill to be

entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Sterling County; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict herewith, and declaring an emergency."

House Bill No. 348, A bill to be entitled "An Act to exempt Tom Green, Sterling, Irion, and Schleicher Counties from the operation of Section 90 of Chapter 171 of the Acts of the Thirty-third Legislature of Texas, approved April 9, 1913 General Laws of the Thirty-third Legislature, relating to irrigation, and declaring an emergency," with engrossed rider.

House Bill No. 349, A bill to be entitled "An Act incorporating and creating the Groesbeck Independent School District of Limestone County, Texas, for free school purposes only; defining its boundaries, and providing for the election of a board of trustees, for the raising of money for building purposes, and for maintaining public free schools therein; vesting the property of the Groesbeck School District in said Groesbeck Independent School District, and vesting said district and the board of trustees therein in all the rights, powers, privileges and duties conferred and imposed by general laws upon independent school districts and the board of trustees thereof, formed by the incorporation of a city or town for free school purposes only under the general law, and declaring an emergency," with engrossed rider.

House Bill No. 383, A bill to be entitled "An Act creating an independent school district to be known as 'Lytle Independent School District,' including within its limits the town of Lytle, and to provide for the creation of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expenses for the maintenance and support of said schools; providing for a board of equalization, and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees,

and repealing all laws in conflict herewith, and declaring an emergency."

House Bill No. 437, A bill to be entitled "An Act conferring original concurrent jurisdiction on Criminal District Court of Dallas County and Criminal District Court No. 2 of Dallas County with each other and with the County Court of Dallas County at law, in matters and proceedings relating to criminal cases of which the County Court of Dallas County at law now has jurisdiction; authorizing the transfer of such cases from the County Court of Dallas County at law, to Criminal District Court of Dallas County and Criminal District Court No. 2 of Dallas County; and from either of said Criminal District Courts to the other and to the County Court of Dallas County at law; authorizing the filing of misdemeanor cases in said Criminal District Courts; regulating the taxing of fees and costs and the apportioning of the same between the county clerk of Dallas County and the clerk of the District Court of Dallas County; providing a fee for such transfer; regulating the taxing of cost; making all fees taxed as costs against the defendant the same as they are now so taxed in the County Court of Dallas County at law; providing that all bail bonds and recognizance taken for the appearance of defendants, parties, witnesses and their sureties for such appearance, in either of said courts in which causes may be pending or to which the same may be transferred; providing for the keeping of a misdemeanor docket by said Criminal District Court; repealing all laws or parts of laws in conflict herewith, and declaring an emergency," with engrossed rider.

House Bill No. 363, A bill to be entitled "An Act incorporating and creating the Murphy Independent School District of Collin County, Texas, for free school purposes only, defining its boundaries, and providing for the election of a board of trustees for the raising of revenue by taxation, issuing of bonds for raising money for building purposes, and maintaining public free schools therein, vesting the property included within this Act in said Murphy Independent School District, and vesting said district and the board of trustees thereof, with all rights, powers, privileges and duties confer-

red and imposed by general laws upon independent school districts, and the board of trustees thereof, formed by the incorporation of towns and villages for free school purposes only, under the general law, declaring valid a maintenance tax heretofore voted, and declaring an emergency."

House Bill No. 367, A bill to be entitled "An Act dividing Fairview Common School District No. 91 into two common school districts, to be known as 'Fairview Common School District No. 91,' and 'Parker Common School District No. 3,' by making the M., K. & T. Railroad, which runs from Bonham to Denison, the dividing line."

House Bill No. 379, A bill to be entitled "An Act to amend Section 20, H. B. No. 647, Chapter 136, of the Special Laws, passed at the Regular Session of the Thirty-third Legislature, relating to Tarrant County road system, providing that the resolution to issue bonds of said county for the purposes set out in said Section shall be deemed to be adopted if a majority of the property owning qualified voters, voting at the election provided for in said Section, shall vote for said resolution, and declaring an emergency," with engrossed rider.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

#### House Bill No. 208 — Amendments Concurred In.

Senator King called up H. B. No. 208, which bill had been amended by the Senate, and returned to the House. The bill was returned to the Senate with the advice that the House had refused to concur with the Senate amendments and had amended the Senate amendment.

Senator King moved that the Senate concur in the House amendment to the Senate amendment.

The motion to concur was adopted.

Senator King moved to reconsider the vote by which the amendment was concurred in, and table the motion to reconsider.

The motion to table prevailed.

**Senate Bill No. 237.**

(Pending business.)

Action recurred on the pending business, S. B. No. 237, the question being on the pending amendment by Senator Hall.

(President Pro Tem. Nugent in the chair.)

Pending discussion, Senator Bailey of DeWitt moved the previous question on the amendment and the bill, which, being duly seconded, was so ordered.

The amendment was adopted by the following vote:

**Yeas—22.**

Astin.	Harris.
Bailey of DeWitt.	Johnson.
Bailey of Harris.	King.
Bee.	Lattimore.
Brelsford.	McCollum.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Gibson.	Robbins.
Hall.	Suiter.
Harley.	Wiley.

**Nays—3.**

McNealus.	Westbrook.
Townsend.	

**Absent.**

Darwin.	Parr.
McGregor.	Smith.

**Absent—Excused.**

Henderson.	Hudspeth.
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The Senate refused to pass the bill to engrossment by the following vote:

**Yeas—5.**

Astin.	Townsend.
Cowell.	Westbrook.
Gibson.	

**Nays—20.**

Bailey of DeWitt.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Hall.	Page.
Harley.	Robbins.
Harris.	Suiter.
Johnson.	Wiley.

**Absent.**

Darwin.	Parr.
McGregor.	Smith.

**Absent—Excused.**

Henderson.	Hudspeth.
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**Reasons for Voting.**

I vote "nay" on S. B. No. 237, because of the adoption of the amendment, offered by the Senator from Wharton (Hall), which, in my opinion, would have the effect of making the law worthless, as it would place the employe absolutely at the mercy of the employer.

**M'NEALUS.**

I vote "nay" upon the engrossment of this bill for the following reasons:

1. I am opposed to sumptuary and paternalistic laws, and this bill is sumptuary and paternalistic, and subversive of personal liberty and human rights, and if enacted into law would be destructive, arbitrary of individual rights and religious freedom.

2. Because it is impractical and unworkable; would arbitrarily rob many employes of 14 per cent of their earnings, and would entail unnecessarily upon the railroads enormous expense, which, in my judgment, would eventuate both in irreparable loss and damage to the interests of organized labor, and an impairment of the railroad service, but also finally an increase of railroad rates and a consequent burden upon the people, with no good to any one.

**NUGENT.**

(Lieutenant Governor Hobby in the chair.)

**Simple Resolution No. 91.**

(By unanimous consent.)

By Senator Cowell:

Be it resolved by the Senate, That the House of Representatives be requested to return H. B. No. 129 for further consideration and amendment.

The resolution was read and adopted.

**Bills Read and Referred.**

The Chair (Lieutenant Governor Hobby) had referred, after their

coptions had been read, the following House bills:

H. B. No. 79, referred to Judiciary Committee No. 1.

H. B. No. 304, referred to Judiciary Committee No. 1.

H. B. No. 318, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 321, referred to Committee on Stock and Stock Raising.

H. B. No. 393, referred to Committee on Public Roads, Bridges and Ferries.

H. B. No. 428, referred to Committee on Educational Affairs.

H. B. No. 308, referred to Committee on Judicial Districts.

H. B. No. 348, referred to Committee on Mining and Irrigation.

H. B. No. 349, referred to Committee on Educational Affairs.

H. B. No. 383, referred to Committee on Educational Affairs.

H. B. No. 437, referred to Committee on Judicial Districts.

H. B. No. 363, referred to Committee on Educational Affairs.

H. B. No. 367, referred to Committee on Educational Affairs.

H. B. No. 379, referred to Committee on Public Roads, Bridges and Ferries.

#### Senate Bill No. 235.

(By unanimous consent.)

The Chair laid before the Senate, on second reading:

S. B. No. 235, A bill to be entitled "An Act directing the sale of the land and other property of the Blind Asylum, located in Austin, and that the proceeds of such sale shall be paid into the general revenue of the State, and directing that land be purchased and new buildings be erected thereon, and that the new institution be known as the Texas School for the Blind; creating a board, and making an appropriation to carry out the provisions of the Act."

The bill was read second time, and passed to engrossment.

Senator Gibson moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, by adding, after Section 6, a new section, to wit:

Section 7. The terrible danger from fire, the insufficient accommodations now at the buildings for the blind children of the State, and the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be, and the same is hereby suspended, and this bill shall become a law from and after its passage, and it is so enacted.

Pending discussion, Senator Clark moved the previous question on same, which motion, being duly seconded, was so ordered.

The bill was read second time, and passed to engrossment.

On motion of Senator Bee, the constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 235 put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Sulter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt. Parr.

Absent—Excused.

Henderson. Hudspeth.

The bill was laid before the Senate, read third time, and,

Senator Westbrook offered the following amendment:

Amend the bill, in line 27, page 1, by striking out the words "city of Austin," and insert in lieu thereof the following: "city making the most attractive bid for the location of this institution."

On motion of Senator Bee, the amendment was tabled.

The bill, having been read third time, was passed finally by the following vote:



## Yeas—26.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

Absent.

Bailey of DeWitt. Parr.  
Conner.

Absent—Excused.

Henderson. Hudspeth.

Senator Bee moved to reconsider the vote by which S. B. No. 235 was passed, and table the motion to reconsider.

The motion to table prevailed.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution:

House Concurrent Resolution No. 11, Accepting an invitation to visit Laredo, Texas, during the celebration there of Washington's Birthday.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

**Simple Resolution No. 92.**

By Senator Bee:

Be it resolved, That the Senate of Texas evidence its appreciation of the great Father of his Country by remaining in session on Monday, February 22, in patriotic service of the commonwealth.

The resolution was read and adopted.

**House Concurrent Resolution No. 11.**

The Chair laid before the Senate,

H. C. R. No. 11, accepting an invitation to visit Laredo on Monday, March 22.

There was objection to the consideration of the resolution, and the resolution was referred to Committee on State Affairs.

**Simple Resolution No. 93.**

(By unanimous consent.)

By Senator Cowell:

Resolved, That the House be requested to return to the Senate, for correction, S. J. R. No. 19.

The resolution was read and adopted.

**Senate Bill No. 221.**

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 221, A bill to be entitled "An Act to amend Section 19 of the special road law for Brazoria County, passed by the Thirty-third Legislature of the State, at its Regular Session; to provide for maturity of all road bonds to be issued by Brazoria County, or any political subdivision thereof; providing that such bonds shall, in all other respects, conform to the requirements of Chapter 2, Title 18, of the Revised Statutes of Texas, and validating elections held in Brazoria County for the issuance of such bonds."

The bill was read second time, and passed to engrossment.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 221 put on its third reading and final passage by the following vote:

## Yeas—27.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt. Parr.

Absent—Excused.

Henderson. Hudspeth.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—27.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McGregor.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Sulter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.
King.	

Absent.

Bailey of DeWitt. Parr.

Absent—Excused.

Henderson. Hudspeth.

Senator Hall moved to reconsider the vote by which S. B. No. 221 was passed, and table the motion to reconsider.

The motion to table prevailed.

#### Senate Bill No. 78.

(Special order.)

The Chair laid before the Senate, on second reading,

C. S. for S. B. No. 78, A bill to be entitled "An Act providing for the enlargement of the powers of corporations organized under Chapter 24 of Title 25 of the Revised Civil Statutes of 1911, for the purpose of storing, transporting, buying and selling oil and gas, salt, brine and other mineral solutions in this State, and declaring an emergency."

There being an adverse majority committee report, recommending a substitute bill, and an adverse minority committee report, and

Senator Bailey of Harris moved to adopt the majority committee report.

Senator McNealus moved, as a

substitute motion, to adopt the minority (adverse) committee report.

Action recurred on the substitute motion, and the same was lost by the following vote:

Yeas—4.

McNealus.	Townsend.
Sulter.	Westbrook.

Nays—22.

Astin.	Harris.
Bailey of Harris.	Johnson.
Bee.	King.
Brelsford.	Lattimore.
Clark.	McCollum.
Conner.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Wiley.

Absent.

Bailey of DeWitt. Parr.  
McGregor.

Absent—Excused.

Henderson. Hudspeth.

The majority committee report was then adopted, which was the substitute bill.

Senator Townsend offered the following amendment:

Amend the committee substitute by striking out the word "substantially," where it appears in the bill, on page 3, line 25.

The amendment was read, and lost.

Senator Townsend offered the following amendment:

Amend the bill, on page 1, by striking out all of Section 1, after the word "business," so as to prohibit the formation of other corporations.

On motion of Senator Bailey of Harris, the amendment was tabled.

Senator Clark moved the previous question on the bill, and the same was ordered, but the vote was reconsidered.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, Section 2, page 3, by striking out the word "that," at end of line 28, and all of line 29, and by substituting the following: "and an imperative public necessity that the constitutional rule requiring bills to

be read on three several days in each house, be, and the same is hereby suspended, and that this Act become a law from and after its passage, and it is so enacted."

On motion of Senator Clark, the previous question was ordered on the engrossment of the bill.

The bill was read second time, and passed to engrossment.

On motion of Senator Bailey of Harris, the constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 78 put on its third reading and final passage by the following vote:

## Yeas—24.

Astin.	Johnson.
Bailey of Harris.	King.
Bee.	Lattimore.
Brelsford.	McCollum.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Wiley.

## Nays—2.

Townsend.	Westbrook.
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## Absent.

Bailey of DeWitt.	Parr.
McGregor.	

## Absent—Excused.

Henderson.	Hudspeth.
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The bill was laid before the Senate, read third time, and passed by the following vote:

## Yeas—20.

Astin.	Harris.
Bailey of Harris.	Johnson.
Bee.	King.
Brelsford.	Lattimore.
Clark.	McCollum.
Conner.	Morrow.
Cowell.	Nugent.
Gibson.	Page.
Hall.	Smith.
Harley.	Wiley.

## Nays—4.

McNealus.	Townsend.
Suiter.	Westbrook.

## Absent.

Bailey of DeWitt.	Darwin.
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McGregor.	Robbins.
Parr.	

## Absent—Excused.

Hudspeth.	Henderson.
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Senator Bailey of Harris moved to reconsider the vote by which S. B. No. 78 was passed, and table the motion to reconsider.

The motion to table prevailed.

## Senate Bill No. 293.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 293, A bill to be entitled "An Act creating the Happy Independent School District, in Swisher and Randall Counties, Texas, defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 293 put on its third reading and final passage by the following vote:

## Yeas—26.

Astin.	King.
Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Clark.	Morrow.
Conner.	Nugent.
Cowell.	Page.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harley.	Townsend.
Harris.	Westbrook.
Johnson.	Wiley.

## Absent.

Bailey of DeWitt.	Parr.
McGregor.	

## Absent—Excused.

Henderson.	Hudspeth.
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The bill was laid before the Sen-

ate, read third time, and passed by the following vote:

## Yeas—27.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McNealus.
Brelsford.	Morrow.
Clark.	Nugent.
Conner.	Page.
Cowell.	Robbins.
Darwin.	Smith.
Gibson.	Suiter.
Hall.	Townsend.
Harley.	Westbrook.
Harris.	Bailey of DeWitt.
Johnson.	Wiley.
King.	

## Absent.

McGregor.	Henderson.
Parr.	

## Absent—Excused.

Hudspeth.

Senator Johnson moved to reconsider the vote by which S. B. No. 293 was passed, and table the motion to reconsider.

The motion to table prevailed.

## Refuse to Adjourn.

Senator Clark, at 6 o'clock, p. m., moved that the Senate adjourn until 10 o'clock Monday morning.

Senator Wiley moved, as a substitute, that the Senate recess until 10 o'clock tomorrow morning.

Action recurred on the motion to adjourn until 10 o'clock Monday morning, and the same was lost by the following vote:

## Yeas—7.

Clark.	King.
Darwin.	McCollum.
Gibson.	McNealus.
Harley.	

## Nays—15.

Bailey of Harris.	Page.
Bee.	Robbins.
Cowell.	Smith.
Hall.	Suiter.
Johnson.	Townsend.
Lattimore.	Westbrook.
Morrow.	Wiley.
Nugent.	

## Absent.

Astin.	Brelsford.
Bailey of DeWitt.	Conner.

Harris.	Parr.
McGregor.	

## Absent—Excused.

Henderson.	Hudspeth.
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The motion to recess was withdrawn.

## Senate Bill No. 322.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 322, A bill to be entitled "An Act creating a more efficient road system for Grimes County, Texas."

The Senate rule, requiring committee reports to lie over for one day, was suspended.

The committee report was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days, was suspended, and S. B. No. 322 put on its third reading and final passage by the following vote:

## Yeas—24.

Bailey of Harris.	Lattimore.
Bee.	McCollum.
Brelsford.	McNealus.
Conner.	Morrow.
Cowell.	Nugent.
Darwin.	Page.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Harris.	Townsend.
Johnson.	Westbrook.
King.	Wiley.

## Absent.

Astin.	McGregor.
Bailey of DeWitt.	Parr.
Clark.	

## Absent—Excused.

Henderson.	Hudspeth.
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The bill was laid before the Senate, read third time and passed by the following vote:

## Yeas—23.

Bailey of Harris.	Conner.
Bee.	Cowell.
Brelsford.	Darwin.

Gibson.	Morrow.
Hall.	Nugent.
Harley.	Page.
Harris.	Robbins.
Johnson.	Smith.
King.	Suiter.
Lattimore.	Townsend.
McCollum.	Wiley.
McNealus.	

Absent.

Astin.	McGregor.
Bailey of DeWitt.	Parr.
Clark.	Westbrook.

Absent—Excused.

Henderson.	Hudspeth.
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Senator Nugent moved to reconsider the vote by which Senate Bill No. 322 was passed and table the motion to reconsider.

The motion to table prevailed.

#### Recess.

On motion of Senator Wiley, the Senate, at 6:15 o'clock p. m., recessed until 10 o'clock a. m. tomorrow.

#### After Recess.

(Saturday, February 20, 1915.)

The Senate was called to order by Lieutenant Governor Hobby.

Senator Gibson moved that the Senate stand at ease for thirty minutes to give committees time to finish consideration of matters before them.

The motion prevailed.

#### Senate Bill No. 317.

(By unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 317, "An Act creating a more efficient road system for Grayson County."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Cowell, the constitutional rule requiring bills to be read on three severals days was suspended, and S. B. No. 317 put on its third reading and final passage by the following vote:

Yeas—23.

Astin.	Bee.
Bailey of Harris.	Conner.

Cowell.	Morrow.
Darwin.	Page.
Gibson.	Parr.
Hall.	Robbins.
Harris.	Smith.
Johnson.	Suiter.
Lattimore.	Townsend.
McCollum.	Westbrook.
McGregor.	Wiley.
McNealus.	

Absent.

Bailey of DeWitt.	Harley.
Brelsford.	King.
Clark.	Nugent.

Absent—Excused.

Henderson.	Hudspeth.
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The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Astin.	McGregor.
Bailey of Harris.	McNealus.
Bee.	Morrow.
Conner.	Page.
Cowell.	Parr.
Darwin.	Robbins.
Gibson.	Smith.
Hall.	Suiter.
Harris.	Townsend.
Johnson.	Westbrook.
Lattimore.	Wiley.
McCollum.	

Absent.

Bailey of DeWitt.	Harley.
Brelsford.	King.
Clark.	Nugent.

Absent—Excused.

Hudspeth.	Henderson.
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Senator Cowell moved to reconsider the vote by which S. B. No. 317 was passed and table the motion to reconsider.

The motion to table prevailed.

#### Messages From the House.

Hall of the House of Representatives,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House yields to the request of Senate, and

returns for further consideration  
S. J. R. No. 19.

Respectfully,

W. R. LONG,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the  
Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
yields to request of Senate and re-  
turns H. B. No. 129 for further con-  
sideration.

Respectfully,

W. R. LONG,  
Chief Clerk, House of Representa-  
tives.

#### Bills and Resolutions.

(By unanimous consent.)

By Senator Page:

S. B. No. No. 341, a bill to be en-  
titled, "An Act to amend Section 24  
of the special road law for Bastrop,  
County, Texas, as passed by the Thir-  
ty-third Legislature of the State of  
Texas, Special Laws, and approved  
March 25, 1913, making members of  
the commissioners court ex officio  
road commissioners of their respect-  
ive precincts, more fully defining  
their duties as such road commis-  
sioners, fixing their salaries and per  
diem compensation for commissioners  
and county judge while serving as  
members of the commissioners court,  
and declaring an emergency.

Read first time and referred to  
Judiciary Committee No. 1.

By Senator Lattimore:

S. B. No. 342, a bill to be entitled,  
"An Act providing that in all incor-  
porated cities and towns of this State  
having a population of fifty thousand  
inhabitants or more, according to the  
last United States census, and which  
maintain a regular police department,  
the patrolmen thereof, or those per-  
forming duties ordinarily performed  
by patrolmen, shall be required to  
serve on actual duty as patrolmen  
not longer than eight hours in every  
twenty-four; providing, that in case  
of riot or other emergency, such  
patrolmen shall perform such duty  
and for such time as the directing  
authority of the department shall re-  
quire, and declaring an emergency.

Read first time and referred to  
Judiciary Committee No. 1.

#### Senate Bill No. 45.

(Special order.)

The Chair laid before the Senate  
on second reading and special order,  
S. B. No. 45, A bill to be entitled  
"An Act to prohibit unfair commer-  
cial discrimination between differ-  
ent sections, communities, or local-  
ities, or unfair competition, or driv-  
ing others out of business, and to  
prevent restraint of trade or com-  
merce; providing for ouster, making  
Act cumulative, prescribing penal-  
ties, and declaring an emergency."

Senator Wiley moved the adoption  
of the committee report.

As a substitute Senator Hall moved  
the adoption of the minority (ad-  
verse) committee report. (Pending.)

#### House Concurrent Resolution No. 11.

Pending discussion Senator Latti-  
more asked unanimous consent to  
take up for consideration H. C. R. No.  
11. There was objection (the com-  
mittee report having just been re-  
ceived) and Senator Bailey of Har-  
ris moved to suspend the Senate rule  
requiring committee reports to lie  
over one day. The motion prevailed  
and the Chair laid before the Senate

H. C. R. No. 11, accepting the in-  
vitation of the Washington's Birth-  
day Celebration Committee of Lare-  
do and the citizens of Laredo to the  
Legislature to attend the celebration  
to be held on February 21, 22 and  
23, 1915.

The resolution was adopted.

#### Refuse to Adjourn.

Senator McNealus moved to ad-  
journ till 12:15 today. As a substi-  
tute Senator Astin moved to adjourn  
till 10 o'clock Monday morning,  
which substitute motion was lost by  
the following vote:

Yeas—4.

Astin.	Gibson.
Darwin.	Page.

Nays—17.

Bailey of Harris.	Johnson.
Bee.	Lattimore.
Conner.	McCollum.
Cowell.	McGregor.
Hall.	McNealus.

Parr.	Townsend.
Robbins.	Westbrook.
Smith.	Wiley.
Suiter.	

Present—Not Voting.

Morrow.

Absent.

Bailey of DeWitt.	Harris.
Brelsford.	King.
Clark.	Nugent.
Harley.	

Absent—Excused.

Henderson.	Hudspeth.
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#### Senate Concurrent Resolution No. 8. (By unanimous consent.)

By Cowell, Lattimore and Johnson:

Whereas in Section 2 of Senate Bill No. 56, same being an Act to make appropriations to cover authorized deficiencies for the fiscal years ending August 31, 1914, in Section 2 of said bill the line and appropriation as follows, "For salary of storekeeper and accountant, \$300.00" appears in said bill immediately after the line and appropriation "For State Library; Contingent Expense, \$600.00" making it appear that the storekeeper and accountant as provided for is connected with the State Library, which \$300.00 item should appear immediately after the following, "For Repairs, State Lunatic Asylum, \$3000.00," making the appropriation apply to storekeeper and accountant for the State Lunatic Asylum.

Whereas in Section 3 of said bill there appears the words "For State Literary; Contingent Expenses, 1915, \$400.00," which should read as follows, "For State Library; Contingent Expenses, 1915, \$400.00," and

Whereas in Section 5 of said bill there appears the words "Canyon Normal School," which should be the words, "The West Texas State Normal."

Therefore, Be it Resolved by the Senate, the House concurring, that the corrections herein given be regarded as sufficient authority by all persons dealing with said Senate Bill No. 56 for a correct interpretation of the above mentioned terms and expressions.

The resolution was read and Senator Cowell moved to take up the

consideration of the same at this time.

The motion prevailed.

The resolution was then adopted.

#### Bills Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, the following bills:

Senate Bill No. 141, A bill to be entitled "An Act to create a special and more efficient road system for Collin County, and declaring an emergency."

Senate Bill No. 38, A bill to be entitled "An Act to change and prescribe the time for holding district courts in the Third Judicial District for the State of Texas; to conform all writs and process from such courts to such changes, including recognizances and bonds to such changes, and to repeal all laws in conflict herewith, and declaring an emergency."

Senate Bill No. 67, A bill to be entitled "An Act to amend Article 6423, Revised Statutes, 1911, so as to require railroad companies or receiver thereof, or the purchaser or purchasers of the property and franchises of any railroad company at judicial or other sale, to secure the approval of the Railroad Commission of Texas before moving its general offices, shops or roundhouses, and prohibiting such change or removal without such permission, and declaring an emergency."

#### Adjournment.

Senator McNealus at 12:15 moved that the Senate stand adjourned till 12:20, p. m., today.

As a substitute, Senator Astin moved to adjourn till 2:30 o'clock this afternoon (February 20), which motion prevailed.

#### APPENDIX.

##### Committee Reports.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

H. C. R. No. 11, accepting the invitation of the Washington's Birthday Celebration Committee of Laredo and the citizens of Laredo to the Legislature to attend the celebration to be held on February 21, 22 and 23, 1915.

Have had the same under consideration, and I am instructed to report this resolution back to the Senate with the recommendation that it do pass.

McCOLLUM, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 340, A bill to be entitled "An Act to amend Article 891, Chapter 6, Title 13, of the Revised Criminal Statutes of 1911, providing for the presentation of a written statement by the shipper in lieu of the affidavit required by said Article 891, when there is no person authorized by law to administer oaths accessible at the point of shipment, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the bill back to the Senate with the recommendation that it do pass.

McCOLLUM, Chairman.

#### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 317, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 235, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Substitute Senate Bill No. 78, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 293, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 302, a bill to be entitled, "An Act to authorize and permit B. A. Eastham to sue the State of Texas and the Prison Commission of the State of Texas, in the District Court of Walker County, Texas, for damages for the breaches, if any, of, and the failure, if any, to perform the duties and obligations, if any, arising out of the contract made on or about the 12th day of January, A. D. 1910, between the said B. A. Eastham of the one side, and J. A. Herring, as superintendent, and A. M. Barton, as financial agent of the Texas State Penitentiaries, of the other side, for the cultivation of the farm of the said B. A. Eastham on the share farm system, with convict labor, for a term of two years, commencing on January 1, A. D. 1910, and ending December 31, 1911, which said farm consists of about 1000 acres, and is located in Walker County, Texas, and providing that no pleas of limitations shall be urged in bar of the cause of action alleged by the plaintiff in said suit, and providing that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commission, and providing for the manner of payment thereof,"

Have had the same under consideration, and I am instructed to report



the bill back to the Senate with the recommendation that it do pass.

M'COLLUM, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 301, a bill to be entitled, "An Act to authorize and permit W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., as executors of and devisees under the last will of Mrs. Delha Eastham, deceased, to sue the State of Texas, and the Prison Commission of the State of Texas, in the District Court of Walker County for damages for the breaches, if any, of, and the failure, if any, to perform the duties and obligations, if any, arising out of, the contract made between Mrs. Delha Eastham, then a widow, now deceased, and J. A. Herring, then superintendent, and J. C. Haynes, then financial agent of the penitentiaries of the State of Texas, for the cultivation, with convict labor of the farm of the said Mrs. Delha Eastham, situated in Houston County, Texas, for the term of two years, beginning on the 1st day of December, A. D. 1911, which said farm consists of about 4000 acres of cultivable land, and providing that no pleas of limitation shall be urged in bar of the cause of action alleged by the plaintiffs in said suit, and providing that no execution shall issue on the judgment, if any, rendered therein, but that such judgment shall be recognized as a valid claim by the Prison Commission, and providing for the manner of payment thereof."

Have had the same under consideration, and I am instructed to report this bill back to the Senate with the recommendation that it do pass.

M'COLLUM, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 338, a bill to be entitled, "An Act granting permission to R. B. Barrett and Margaret Barrett to bring suit in the District Court of Angelina County, Texas, for the purpose of ascertaining, adjudicating,

fixing and establishing claims for damages against said State of Texas, arising out of the injuries resulting in the death of Tom Reed, the son of Margaret Barrett, nee Reed, which occurred on or about September, 1912, as in said bill set forth, and declaring an emergency."

Have had the same under consideration, and I am instructed to report this bill back to the Senate with the recommendation that it do pass, and be not printed.

M'COLLUM, Chairman.

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

S. B. No. 277, a bill to be entitled, "An Act providing for the issuance of certain State bonds and authorizing the retirement of certain bonds of the State of Texas, maturing on July 1, 1946, and September 1, 1950, respectively, providing for the sale of the new bonds issued and a sinking fund for the same, providing for the appropriation of twenty-four thousand three hundred and fifty-eight dollars and thirty-three cents (\$24,358.33) for the maintenance and support of the Agricultural and Mechanical College, the amount being the sum necessary to make up the interest deficit due on endowment, as required by the Federal law, and four thousand dollars (\$4,000) to be appropriated to reimburse the permanent fund of the Agricultural and Mechanical College, the amount being for the purpose of replacing a similar sum which was diverted in the year 1910 from the permanent Agricultural and Mechanical College fund, making an appropriation to carry this Act into effect, and declaring an emergency."

Have had the same under consideration, and I am instructed to report this bill back to the Senate with the recommendation that it do pass.

M'COLLUM, Chairman.

(Floor report.)

Committee Room,  
Austin, Texas, February 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Edu-

cational Affairs, to whom was referred

H. B. No. 349, a bill to be entitled, "An Act incorporating and creating the Groesbeck Independent School District of Limestone County, Texas, for free school purposes only; defining its boundaries, and providing for the election of a board of trustees, for the raising of revenue by taxation, issuing bonds for raising money for building purposes, and for maintaining public free schools therein; vesting the property of the Groesbeck School District in said Groesbeck Independent School District, and vesting said district and the board of trustees thereof with all the rights, powers, privileges and duties conferred and imposed by general laws upon independent school districts and the board of trustees thereof, formed by the incorporation of a city or town for free school purposes only under the general law, and declaring an emergency."

Have had the same under consideration, and I am instructed to report this bill back to the Senate with the recommendation that it do pass, and be not printed.

Bee, chairman; McGregor, Smith, Morrow, Darwin, Johnson, Bailey of Harris, Cowell, Gibson, Astin, Robbins.

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Mining and Irrigation, to whom was referred

S. B. No. 314, A bill to be entitled "An Act to amend Article 5402, Revised Statutes of 1911, so as to authorize the investment of the proceeds of the sale of lands granted to counties for educational purposes in bonds of the United States, the State of Texas, of counties of the State, of independent or common school districts, road precinct, drainage, irrigation, navigation and levee districts of said State; or incorporated cities and towns; of road precincts of any county; of drainage, irrigation, navigation and levee districts of any county or counties of Texas, and declaring an emergency,"

Have had the same under consideration, and beg to report the same back to the Senate, with the recommendation that it do pass, with the following amendment:

After the last word in Section 1 of said bill, add the following:

"And held by such county alone as a trust for the benefit of public free schools therein, only the interest thereon to be used and expended annually."

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 243, A bill to be entitled "An Act to place under single management the State University, the Agricultural and Mechanical College, the State School of Mines, and the Prairie View Normal School, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

BEE, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Educational Affairs, to whom was referred

S. B. No. 243,

Have had same under consideration, and are instructed to report same back to the Senate with the recommendation that it do not pass.

ASTIN.  
SMITH.

(Floor Report.)

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 322, A bill to be entitled "An Act creating a more efficient road system for Grimes County, Texas; and declaring an emergency,"

Have had the same under consideration, and we are instructed to report the same back to the Sen-

ate with the recommendation that it do pass and be not printed.

Morrow, Acting Chairman, Smith, Westbrook, McNealus, Townsend, McCollum.

(Floor Report.)

Committee Room,  
Austin, Texas, February 17, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Privileges and Elections, to whom was referred

S. B. No. 172, a bill to be entitled, "An Act to provide that any person now holding, or who may hereafter hold any judicial office, or the office of Railroad Commissioner or Attorney General, or Comptroller of Public Accounts, by election or appointment, in the State of Texas, who shall become a candidate for a nomination or election, before the expiration of the term of office to which he was elected or appointed, to any other office without resigning from the office he is holding, shall immediately forfeit the right to hold the office then held by such person, and such office shall be deemed and become vacant and shall be filled by the Governor of the State by the appointment of some other person qualified under the law to fill such office, as the law now provides for the filling of vacancies in office caused by death or resignation; provided, that this Act shall not apply to office of County Judge or Justice of the Peace."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

Bailey of Harris, chairman; Page, Nugent, McGregor.

#### Enrolling Committee Reports.

Committee Room,  
Austin, Texas, February 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 62, and find it correctly enrolled, and have this day at 4:20 o'clock p. m. presented same to the Governor for his approval.

M'COLLUM, Chairman.

S. B. No. 62.

An Act to accept the gift to the State of a hospital building and to establish a State hospital for crippled and deformed children, and to provide for the management and control thereof, and declare an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there is hereby established a State Hospital for crippled and deformed children. The gift to the State by the Texas Public Health Association of the Walter Colquitt Memorial Children's Hospital, also known as the children's ward of the John Sealy Hospital, on the premises of the University of Texas, at Galveston, Texas, is hereby accepted by the State, and this hospital shall be the State Hospital for Crippled and Deformed Children. The term "crippled or deformed children" as used in this Act, shall include children suffering from disease from which they may become crippled or deformed.

Sec. 2. Said hospital shall be under the control and management of the Board of Regents of the University of Texas, and said board is hereby authorized and empowered to lease said hospital building to the city of Galveston in the same manner as the John Sealy Hospital buildings, and to require that provision be made in such hospital for the care and treatment of crippled or deformed children, who may be benefited or cured by treatment in said hospital, and for such other cases or patients as may be required in the interest of scientific study by the faculty and students of the Medical Department of the University of Texas.

Said Board of Regents, or the board of managers of said hospital, may also receive in said hospital any sick or afflicted children who are not crippled or deformed, and who are not suffering from any communicable disease; provided, that the beds occupied by such children are not needed for the use of crippled or deformed children.

Sec. 3. The said Board of Regents or board of managers of said hospital shall adopt such rules and regulations as said boards may deem proper and necessary for the admission, discharge, care and treatment of such children. The said Board of Regents or the board of managers

of said hospital may require the parents or guardians of patients, when able to do so, and otherwise the home counties or cities of such patients, to pay all or part of the expense of the care and treatment of patients. And said boards may refuse to admit to said hospital as patients any except crippled or deformed children.

Sec. 4. The Legislature shall make suitable provision in the general appropriation bill, or otherwise, to pay for the proper care and treatment of children afflicted with surgical tuberculosis, and the Board of Regents or board of managers of said hospital shall give free care and treatment to such children to the extent of the appropriation therefor. Said Board of Regents are also authorized to accept donations for the support of crippled or deformed patients and for the improvement of the hospital and building.

Sec. 5. The fact that there is now no adequate provision for the treatment of crippled and deformed children in this State creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and said rule is hereby suspended, and this Act shall be effective from and after its passage.

Committee Room,  
Austin, Texas, February 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 18, and find it correctly enrolled, and have this day at 4:20 o'clock p. m., presented same to the Governor for his approval.

M'COLLUM, Chairman.

S. B. No. 18.

An Act to amend Article 3878 of an Act entitled Fees of Notaries Public, Chapter 3, Title 58, of the Revised Civil Statutes of Texas, 1911, fixing fees of notaries public for protesting bills or notes, issuing notice, giving certificates, taking acknowledgements, making copies, taking depositions and administering oaths.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3878, Chapter 3, Title 58, of the Revised

Civil Statutes of Texas, 1911, be amended so as to hereafter read as follows:

Article 3878. Notaries Public shall receive the following fees:

Protesting a bill or note for non-acceptance or non-payment, register and seal.....	\$1.00
Each notice of protest.....	.25
Protest in all other cases, for each 100 words.....	.25
Certificate and seal to such protest.....	.50
Taking the acknowledgment or proof of any deed or other instrument in writing, for registration, including certificate and seal.....	.50
Taking an acknowledgment of a married woman to any deed or other instrument of writing authorized to be executed by her, including certificate and seal.....	.50
Administering an oath or affirmation with certificate and seal.....	.50
All certificates under seal not otherwise provided for.....	.50
Copies of all records and papers in their office, including certificate and seal, if less than 200 words.....	.50
If more than 200 words, for each 100 words in excess of 200, in addition to the fee of fifty cents.....	.25
All notarial acts not provided for.....	.50
Taking the depositions of witnesses, for each 100 words..	.15
Swearing a witness to depositions, making certificate therefor with seal, and all other business connected with taking such deposition..	.50

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 141, and find it correctly enrolled, and have this day, at 3:55 o'clock p. m., presented same to the Governor for his approval.

M'COLLUM, Chairman.

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 38, and find it correctly enrolled, and have this day, at 3:55 o'clock p. m., presented same to the Governor for his approval.

M'COLLUM, Chairman.

Committee Room,

Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 67, and find it correctly enrolled, and have this day, at 3:55 o'clock p. m., presented same to the Governor for his approval.

M'COLLUM, Chairman.

S. S. B. No. 67.

An Act to amend Article 6435 of the Revised Civil Statutes of Texas to prevent changes in locations of general offices, machine shops or round houses for the operation of railroads in Texas, without the consent of the Railroad Commission of Texas, and to prohibit such consent to any removal in conflict with the restrictions of Article 6423, and to provide that such consent shall be unnecessary to returns to previous locations under judgments in pending suits. Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6435 of the Revised Civil Statutes of Texas of 1911 be amended so as to hereafter read as follows:

Article 6435. No railroad corporation shall have the right in the future to change the location of its general offices, machine shops or roundhouses, save with the consent and approval of the Railroad Commission of Texas, and this shall apply, also, to receivers and to purchasers of the franchises and properties of railroad companies and to new corporations formed by such purchasers or their assigns, provided, however, that the Railroad Commission of Texas shall not consent to or approve of any removal or change of location, in conflict with the restrictions of Article 6423 of the Revised Civil Statutes of Texas of 1911; and, provided, further, that no consent or approval of the Railroad Commission of Texas shall be required before the return of general offices,

machine shops or round houses, to previous locations, when ordered or required, under judgments in suits now pending in trial or appellate courts.

Sec. 2. The fact that there is now no adequate law in the State of Texas regulating and controlling the moving or changing of the location or railroad general offices, machine shops and roundhouses, together with the crowded condition of the calendars, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days, and that this Act take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, February 18, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 215, and find it correctly enrolled, and have this day, at 4:20 o'clock p. m., presented same to the Governor for his approval.

M'COLLUM, Chairman.

#### Engrossing Committee Reports.

Committee Room,

Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 124, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully compared Senate Bill No. 185, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully com-

pared Senate Bill No. 39, and find same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,  
Austin, Texas, February 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Commerce and Manufactures, to whom was referred

Senate Bill No. 332, a bill to be entitled, "An Act to amend Section 1 of Chapter 100 of the Acts of the Regular Session of the Thirty-third Legislature, so as to leave out the words, 'shall steal or' in said section, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

LATTIMORE, Chairman.

#### Petitions and Memorials.

Senators McNealus Cowell, Johnson, and Hall each presented petitions numerously signed, protesting against the passage of the Gibson bill, or enacting any other legislation affecting the Robertson insurance law.

Telegrams were offered by various Senators urging the passage of S. B. No. 237, the four days rest per month for telegraphers, station agents, etc., bill, from the following:

Wallace H. Malone and others of Fort Worth.

First Guaranty State Bank and others of Aubrey.

A. B. Cade and others of Watauga.  
J. T. Harrison and others of Taylor.

C. A. Cowan and others of Roanoke.

C. S. Allen and others of Calvert.

W. F. Davis and others of Bryan.

R. M. Dickson and others of Lexington.

T. H. Blewett and others of Bonham.

G. C. Buffington and others of Houston.

S. W. T. McLean and others of San Antonio.

W. C. Boyett of College Station.

J. T. Snelus and fifty citizens of Valentine.

Walter Garnet and others of Alpine, Texas.

Senator Lattimore offered a let-

ter from Wallace H. Malone of Fort Worth, representing 400 T. & P. telegraphers, favoring the passage of S. B. No. 237.

Senator Darwin presented a petition from citizens of his district, showing cause why S. B. No. 79, or H. B. No. 127, should be enacted into law. These two bills are the same, and relate to liens of material men and workmen.

Senator Smith presented a petition from citizens residing in Panola County, favoring the passage of a law limiting the expenditure of money in primary election campaigns.

Senator McGregor offered a petition from citizens of Lampasas County, opposing the abolition of the State Fire Rating Commission.

Senators Astin and Hall each presented telegrams similar to the above from the mayors of Mexia, Palacios and Bay City.

A petition from citizens of Eagle Lake, opposing the repeal of the "Ticket Scalping Statute," was offered by Senator Clark.

A communication from the Harrison County Medical Society in opposition to the optometry bill was offered by Senator Smith, and a similar petition by Senator Gibson.

Senator Robbins offered petitions endorsing H. J. R. No. 5, H. J. R. No. 18, H. B. No. 255, known as the usury bill, the compulsory education bill, and a bill to protect farmers from depredations by their neighbors' domestic fowls.

Senators Cowell and Gibson presented petitions opposing the cashed bill and the full crew bill. A telegram asking his vote against the latter was offered by Senator Smith.

Senator Gibson offered two petitions opposing the 2-cent passenger fare bill, a petition opposing restrictions on itinerant medicine wagons, one favoring S. B. No. 234, and a protest from the volunteer firemen of Honey Grove, against the annulment of all exceptions to the anti-pass law.

#### THIRTIETH DAY.

Senate Chamber,  
Austin, Texas,  
February 20, 1915.

The Senate met at 2:30 o'clock p. m., pursuant to adjournment, and